

21108 U.S.P.T.O.  
 10/671859  
 09/26/03



# UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Attorney Docket No.		22221/1120 (RU-339)
First Inventor		O'Donnell et al.
Title	BACILLUS STEAROTHERMOPHILUS TAU, DELTA, AND DELTA PRIME POLYMERASE SUBUNITS AND USE THEREOF	
Express Mail Label No. EL983811825US		

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><i>(Submit an original and a duplicate for fee processing)</i><br>2. <input type="checkbox"/> Applicant claims small entity status.<br><i>Sec 37 CFR 1.27.</i><br>3. <input checked="" type="checkbox"/> Specification [Total Pages 124 pages]<br><i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications (<i>if applicable</i>)</li> <li>- Statement Regarding Fed sponsored R &amp; D (<i>if applicable</i>)</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix (<i>if applicable</i>)</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (<i>if filed</i>)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul><br>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [ Total Sheets 82 sheets ] | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  |
| 5. Oath or Declaration [ Total Pages 12 pages ] <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Unsigned</li> <li>c. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (<i>for continuation/divisional with Box 18 completed</i>)           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/> <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</i></li> </ul> </li> </ul>  | 8. Nucleotide and/or Amino Acid Sequence Submission ( <i>if applicable, all necessary</i> ) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies; or</li> <li>ii. <input checked="" type="checkbox"/> paper (167 pages)</li> </ul> </li> <li>c. <input checked="" type="checkbox"/> Request for Transfer of Computer Readable Record and Statement in Accordance with 37 CFR 1.821(e)</li> </ul> |

## ACCOMPANYING APPLICATION PARTS

- |   |  |
|---|--|
| 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))                                     | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney ( <i>when there is an assignee</i> )        |
| 11. <input type="checkbox"/> English Translation Document ( <i>if applicable</i> )                            | 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations     |
| 13. <input type="checkbox"/> Preliminary Amendment  | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) ( <i>Should be specifically itemized</i> )                        |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s) ( <i>if foreign priority is claimed</i> ) | 16. <input type="checkbox"/> Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |
| 17. <input type="checkbox"/> Other: _____   |  |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)

of prior application No.: 09/716,964

Prior application information:

Examiner: R. Hutson

Group/Art Unit: 1652

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label		or <input checked="" type="checkbox"/> Correspondence address below
--	--	---

Name	Nixon Peabody LLP Clinton Square, P.O. Box 31051			
Address				
City	Rochester	State	NY	Zip Code
Country	USA	Telephone	(585) 263-1128	Fax (585) 263-1600

Name (Print/Type)	Edwin V. Merkel	Registration No. (Attorney/Agent) 40,087	
Signature			Date September 26, 2003

# FEE TRANSMITTAL FOR FY 2003

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 750)

<i>Complete if Known</i>	
Application Number	To be Assigned
Filing Date	Herewith
First Named Inventor	O'Donnell et al.
Examiner Name	R. Hutson
Art Unit	1652
Attorney Docket No.	22221/1120 (RU 339)

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None				<b>3. ADDITIONAL FEES</b>																																
<input type="checkbox"/> Deposit Account: Deposit Account Number <span style="border: 1px solid black; padding: 2px;">14-1138</span>				<b>Large Entity</b> <b>Small Entity</b> Fee Code   Fee (\$)   Fee Code   Fee (\$) 1051   130   2051   65   Surcharge - late filing fee or oath 1052   50   2052   25   Surcharge - late provisional filing fee or cover sheet 1053   130   1053   130   Non-English specification 1812   2,520   1812   2,520   For filing a request for <i>ex parte</i> reexamination 1804   920*   1804   920*   Requesting publication of SIR prior to Examiner action 1805   1,840*   1805   1,840*   Requesting publication of SIR after Examiner action 1251   110   2251   55   Extension for reply within first month 1252   410   2252   205   Extension for reply within second month 1253   930   2253   465   Extension for reply within third month 1254   1,450   2254   725   Extension for reply within fourth month 1255   1,970   2255   985   Extension for reply within fifth month 1401   320   2401   160   Notice of Appeal 1402   320   2402   160   Filing a brief in support of an appeal 1403   280   2403   140   Request for oral hearing 1451   1,510   1451   1,510   Petition to institute a public use proceeding 1452   110   2452   55   Petition to revive - unavoidable 1453   1,300   2453   650   Petition to revive - unintentional 1501   1,300   2501   650   Utility issue fee (or reissue) 1502   470   2502   235   Design issue fee 1503   630   2503   315   Plant issue fee 1460   130   1460   130   Petitions to the Commissioner 1807   50   1807   50   Processing fee under 37 CFR 1.17(q) 1806   180   1806   180   Submission of Information Disclosure Stmt 8021   40   8021   40   Recording each patent assignment per property (times number of properties) 1809   750   2809   375   Filing a submission after final rejection (37 CFR 1.129(a)) 1810   750   2810   375   For each additional invention to be examined (37 CFR 1.129(b)) 1801   750   2801   375   Request for Continued Examination (RCE) 1802   900   1802   900   Request for expedited examination of a design application Other fee (specify) _____																																
<b>FEE CALCULATION</b>																																				
<b>1. BASIC FILING FEE</b>																																				
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;">Large Entity</th> <th style="text-align: left; width: 25%;">Small Entity</th> <th style="text-align: left; width: 25%;">Fee Description</th> <th style="text-align: left; width: 25%;">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>2001</td> <td>375</td> <td>Utility filing fee</td> <td style="text-align: right; padding-right: 10px;">750</td> </tr> <tr> <td>1002</td> <td>2002</td> <td>165</td> <td>Design filing fee</td> <td style="text-align: right; padding-right: 10px;"></td> </tr> <tr> <td>1003</td> <td>2003</td> <td>260</td> <td>Plant filing fee</td> <td style="text-align: right; padding-right: 10px;"></td> </tr> <tr> <td>1004</td> <td>2004</td> <td>375</td> <td>Reissue filing fee</td> <td style="text-align: right; padding-right: 10px;"></td> </tr> <tr> <td>1005</td> <td>2005</td> <td>80</td> <td>Provisional filing fee</td> <td style="text-align: right; padding-right: 10px;"></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code	Fee (\$)	Fee (\$)	1001	2001	375	Utility filing fee	750	1002	2002	165	Design filing fee		1003	2003	260	Plant filing fee		1004	2004	375	Reissue filing fee		1005	2005	80	Provisional filing fee	
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<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b>																																				
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** or number previously paid, if greater; For Reissues, see above																																				
<b>*Reduced by Basic Filing Fee Paid</b> <span style="border: 1px solid black; padding: 2px;">SUBTOTAL (3) (\$ 0)</span>																																				
<b>CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]</b>																																				
I hereby certify that this correspondence is being:																																				
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450																																				
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.																																				
Date _____		Signature _____																																		
		Typed or printed name _____																																		

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Edwin V. Merkel	Registration No. (Attorney/Agent)	40,087	Telephone (585) 263-1128
Signature	<i>Edwin V. Merkel</i>		Date	<i>September 26, 2003</i>

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **22221/1120 (RU 339)**

APPLICANTS: **Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,  
David Jeruzalmi, Irina Bruck, and John Kuriyan**

TITLE: **BACILLUS STEAROTHERMOPHILUS TAU, DELTA, AND  
DELTA PRIME POLYMERASE SUBUNITS AND USE  
THEREOF**

Certificate is attached to the **Utility Patent Application Transmittal Letter**  
**(1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate)** of the  
above-named application.

EXPRESS MAIL NUMBER: **EL983811825US**

DATE OF DEPOSIT: **September 26, 2003**

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for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing  
paper or fee)



(Signature of person mailing paper or fee)

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THEREOF**

Certificate is attached to the **Patent Application including specification, claims  
and abstract (124 pages)** of the above-named application.

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Certificate is attached to the copy of the **Drawings (82 sheets)** as filed in the prior application of the above-named application.

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TITLE: **BACILLUS STEAROTHERMOPHILUS TAU, DELTA, AND DELTA PRIME POLYMERASE SUBUNITS AND USE THEREOF**

Certificate is attached to the copy of the **SIGNED Combined Declaration and Power of Attorney Form (12 pages)** as filed in the prior application of the above-named applicant.

EXPRESS MAIL NUMBER: **EL983811825US**

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THEREOF**

Certificate is attached to the **Request for Transfer of Computer Readable Record and Statement in Accordance With 37 CFR 1.821(e) (1 page)** of the above-named application and a copy of the **Sequence Listing (167 pages)** as filed in the prior application of the above-name application.

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THEREOF**

Certificate is attached to the **Information Disclosure Statement (1 page) and  
PTO-1449 (6 page) (in duplicate) with 65 references (not attached)** of the  
above-named application.

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Shawn A. Lockett  
(Typed or printed name of person mailing  
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